

REMARKS

By this amendment, independent claims 1, 9, 14 and 15 are amended to further clarify that the primary home agent is also capable of intercepting and tunneling packets. Claims 1, 3-9 and 11-15 are pending.

Applicant acknowledges the indication that claims 3, 4, 6 and 11-12 include allowable subject matter; however, Applicant elects to not amend those claims to be in independent format to afford the Office the opportunity to fully reconsider the patentability of the rejected claims.

Claims 1, 5, 9, 14 and 15 were rejected under 35 U.S.C. 102(e) as being anticipated by Warrier et al. (U.S. 6,707,809; hereafter "Warrier") and claims 7-18 and 13 were rejected under 35 U.S.C. 103(a) as being obvious from Warrier. Applicant traverses these rejections because Warrier fails to disclose, teach or suggest all the features recited in the rejected claims. For example, Warrier fails to disclose, teach or suggest the claimed invention wherein a primary home agent is configured to support mobility of one or more mobile nodes and capable of intercepting and tunnelling packets to transmit packets destined for at least one mobile node and a secondary home agent is configured to receive a routing request from the primary home agent and to intercept and tunnel packets destined for the at least one mobile node in response to the routing request.

Warrier merely discloses a method for forwarding data in a mobile IP system, specifically for initiating data transfer for a terminated mobile node. In that method, a home agent control node supplements the functionality of a home agent by receiving registration requests from the mobile node. The home agent control node then forwards the registration request to the home agent, which performs authentication and registration of the mobile node. The home agent then transfers data to the mobile node according to the Mobile IP.

The Office Action has erroneously equated the claimed "primary home agent" with Warrier's "home agent control node" (36). However, in Warrier, as part of registration of a mobile node, the home agent control node 36 merely functions as a forwarder of registration messages, i.e., it simply forwards the registration messages to another entity, i.e., the home agent 18. (See, col. 6, lines 35-36). Further, Warrier expressly states that the home agent 18 performs authentication and registration tasks for the mobile node, i.e. processes the received registration message (col. 6, l. 37- 38). Thus, the home agent control node 36 does not correspond to the claimed primary home agent because the home agent control node 36 fails to process registration requests or send routing requests to transmit packets destined for at

least one mobile node (in response to receiving a registration request that is acceptable from the mobile node or from the foreign agent serving the mobile node in the visited network).

Furthermore, Warriar fails to teach or suggest any primary home agent capable of intercepting and tunneling packets, because the home agent control node 36 fails to perform intercepting and tunneling features of the home agent 18 (IP data transmission in Figure 3 and 4).

Because the home agent 18 receives registration requests from the home agent control node 36 and, nevertheless, functions as a conventional home agent, the home agent 18 also fails to anticipate the claimed secondary home agent configured to receive a routing request from a primary home agent to transmit packets.

Accordingly, Warriar fails to disclose, teach or suggest the claimed invention wherein a primary home agent is configured to support mobility of one or more mobile nodes and capable of intercepting and tunnelling packets to transmit packets destined for at least one mobile node and a secondary home agent is configured to receive a routing request from the primary home agent and to intercept and tunnel packets destined for the at least one mobile node in response to the routing request, thereby providing load balancing. Therefore, claims 1, 5, 7-9 and 13-15 are patentable over Warriar.

All rejections and objections having been addressed, Applicant requests the issuance of a Notice of Allowance indicating the allowability of claims 1, 3-9 and 11-15. However, if anything remains necessary to place the application in condition for allowance, Applicant requests that the Examiner telephone the undersigned Applicant representative.

Please charge any fees associated with the submission of this paper to Deposit Account Number 033975. The Commissioner for Patents is also authorized to credit any over payments to the above-referenced Deposit Account.

Respectfully submitted,

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